

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

JUN 08 2004

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte GORDON ISRAELSON

Application 09/669,784

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on May 18, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith returned to the examiner. The matters requiring attention prior to docketing are identified below.

On July 19, 2002, appellants filed a Notice of Appeal (Paper No. 10) and an Appeal Brief (Paper No. 11). The Patent and Trademark Office records reflect that the \$320 Notice of Appeal Brief fee and the \$320 Appeal Brief fee were inadvertently credited to Application Serial No. 09/663,784.

In addition, Section 707.08 of the Manual of Patent Examining Procedure (MPEP) (Eighth Edition, Rev. 1, Feb. 2003) states:

707.08 Reviewing and Initialing by Assistant Examiner

The full surname of the examiner who prepares the Office action will, in all cases, be typed at the end of the action. . . .

After the action is typed, the examiner who prepared the action reviews it for correctness. The surname or initials of the examiner who prepared the action and the date on which the action was typed should appear below the action. If the examiner does not have the authority to sign the action, he or she should initial above the typed name or initials. . . .

The Examiner's Answer mailed November 27, 2002 (Paper No. 14) is deficient in that there is no signature or initials for Dah-Wei D. Yuan. Correction is required.

Accordingly, it is

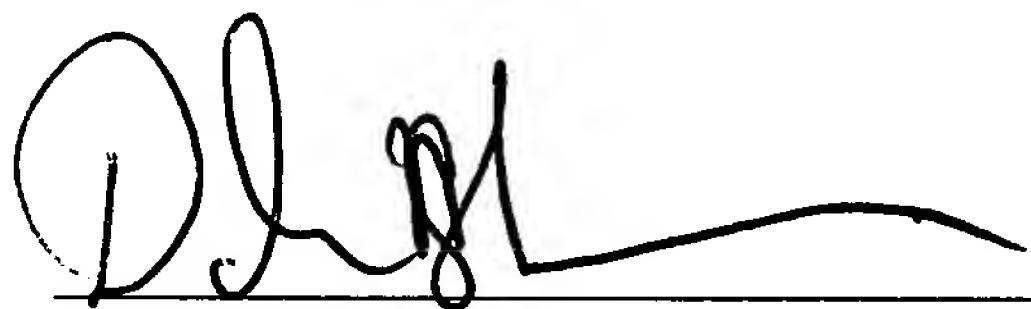
ORDERED that the application is returned to the examiner:

1. for the \$320 Notice of Appeal fee and the \$320 Appeal Brief fee to be credited to Application Serial No. 09/669,784 and not 09/663,784;

2. for taking corrective action regarding the signature for Dah-Wei D. Yuan;
3. for written notification to appellant regarding the action taken; and
4. for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



DALE SHAW

Program and Resource Administrator
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Iselin, NJ 08830

DS/psb/lc
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